IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.491 OF 2005

Shri.Uttam Balakram Jagdale
since deceased by his heirs & L.Rs.
1-a Smt. Malanbai Uttam Jagdale & Ors. ..Appellants
V/s
Shri. Rustam Balkram Jagdale ..Respondents

Mr. G. H. Keluskar for the Appellants.
Mr. Mulye i/b G.S. Godbole for the Respondents.

CORAM: A.S.OKA,J.

DATE : 05.05.2005.

P.C.:

1. Heard Advocates appearing for the parties. The Appellants are original defendant Nos.1-a to 1-d and 2 to 4. The suit filed by the original plaintiff for partition and separate possession stands decreed. Both the Courts below have rejected the case made out by the Appellants of relinquishment by the original plaintiff of his share. Reliance was placed by the Appellants on the alleged applications given by the Respondent to Talathi recording the relinquishment. The finding of fact recorded by the Courts below is correct. In view of the concurrent findings recorded by the Court below, the no substantial question of law arises.

2. Second Appeal is dismissed with no orders as to cost.

JUDGE